REMARKS

Claims 1-4, 6, 11, and 14-16 are currently pending in this application. By this Amendment, claims 1-4, 6, 11, and 14-16 are amended. Support for the amendments is found in the specification, including the claims, as originally filed. Favorable reconsideration of the application in light of the foregoing amendments and following comments is respectfully solicited.

Telephone Interview of December 20, 2010

Applicants thank Examiner Bokhari for conducting a telephone interview with the undersigned. In the interview was discussed Cheney as it relates to the previously presented "changing the parameter to reflect the change in code size effected by moving the user data." Additionally, the Examiner offered suggestions for clarifications to the claims, which are reflected in the amendments to claims 1 and 11 above.

Rejection Under 35 U.S.C. § 103(a)

In section 9 of the Office Action, claims 1-4, 6, 11, and 14-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,671,323 (Tahara) in view of U.S. Patent No. 5,576,765 (Cheney) in view of U.S. Patent No. 6,075,900 (Sakazawa). Applicants respectfully traverse.

Independent claim 1 recites, *inter alia*, "receiving an input code stored in a hierarchical data structure," "generating an output code stored in the hierarchical data structure." Accordingly, the input and output codes are both stored according to the same structure. In contrast, each of the portions of Tahara, Cheney, and Sakazawa disclose techniques whereby the input and output data is not stored according to the same structure. For example, the MPEG

decoder in Tahara, FIG. 31, receives an elementary stream at receive buffer 401, and multiplexer 417 outputs a base-band video signal (*see* col. 5, line 64 to col. 6, line 3 ("studios 145A to 145D perform . . . operations on base-band video signals rather than . . . on encoded streams"); col. 6, lines 11-12 ("MPEG decoders 144A to 144D receive the elementary streams")). As another example, in Cheney, the MPEG decoder is "receiving compressed encoded digital video signals and transmitting decompressed decoded digital video signals" (claim 1). As another example, in Sakazawa there is no indication that data output by the packetizers is stored in a hierarchical data structure that this the same as a hierarchical data structure used for storing data received by separating unit 2. Thus, the cited art does not disclose or suggest the subject matter recited in claim 1.

This shortcoming would not be overcome by simply passing an input code through an MPEG decoder (*e.g.*, decoder 144A shown in Tahara, FIG. 1) to produce an intermediate data and reencoding the intermediate data using an MPEG encoder (*e.g.*, encoder 142A shown in Tahara, FIG. 4), as claim 1 also requires that "the stored main data included in the output code is identical to the main data included in the input code." It was well known in the art that by such a process the main data would not remain the same. Thus, the cited art does not disclose or suggest the subject matter recited in claim 1.

Additionally, the code length obtained with the VLC decode described by Cheney does not disclose or make obvious "a second value in the parameter of the hierarchical data structure which determines an allowable range of data amount in the output code, the second value being different from the first value to reflect a change from the allowable range of data amount in the input code effected by moving the user data from the input code to the output code," as recited in claim 1. However, Cheney's code length is not "effected by moving the user data from the input

code to the output code," as recited in claim 1, and does not disclose or suggest what is claimed. Tahara and Sakazawa do not bridge this gap between claim 1 and Cheney.

For much the same reasons, independent claim 11 is also not obvious in view of the cited art.

Thus, Applicants respectfully request withdrawal of the rejection of independent claims 1 and 11, and claims 2-4, 6, and 14-16 which depend thereon.

Conclusion

Accordingly, it is urged that the application, as now amended, is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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